IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO**

**WRIT PETITION No. 23475 of 2001**

Between:

Amudala Srinivasa Sahu S/o.A.Kesava Sahu
R/o.D.No.E-39, Staff Colony, Scindia Gandi Gram Post,
Vishakapatnam-530005.

**..... PETITIONER**

AND

1 The Revenue Divisional Officer
Tekkali, Srikakulam, Srikakulam Dist.
2 The Chairperson, Selection Committee,

N.T.R.University of Health Sciences
Vijayawada, Krishna Dist.
3 The Registrar, N.T.R.University of Health Sciences
Vijayawada, Krishna Dist.
4 The District Collector,
Srikakulam, Srikakulam Dist.
5 The Principal Andhra Medical College,
Vishakapatnam.
6 The Govt.of A.P., Rep.by its Principal Secretary
Social Welfare Department, Secretariat Buildings,
Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying

that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus to set aside the orders of the 1st respondent passed in Rc.No.2242/2001 G dt.3.10.2001, after declaring the same as illegal, arbitrary, and against the provisions of Rule 5 of rules framed under A.P.( S.C., S.T. & B.C.) Regulation of issue of Community Certificates Rules 1997 and against the Govt.Memo.No.22427/CV2/93, dt.3.5.99 and consequent direct the 1st respondent to issue Caste Community Certificate issued to his father, brother and sister, report of M.R.O., as per orders in respondent to issue Status Clearance Certificate, to the petitioner to enable him to get admission into 5th respondents college as S.T. candidate.

**Counsel for the Petitioner: MR.B.SUDHAKAR REDDY & NEERAJA REDDY**

**Counsel for the Respondent No.1,4 and 6: GP FOR SOCIAL WELFARE**

Counsel for the Respondent Nos.2 &3: Mr. KGK Prasad, SC for NTR Health University

Counsel for the Respondent No. 5: None appeared

**The Court made the following :**

ORDER:

When the petitioner applied for social status certificate for admission in University of Health Sciences, Vijayawada, an enquiry was conducted by the official respondents and on the report of the Mandal Revenue Officer, Kanchili, Srikakulam District, the first respondent passed the impugned order observing that as per the birth extract of the petitioners mother, it is clearly established that the writ petitioner does not belong to Bentho Oriya and he belongs to Oddi caste and thus negatived the request of the petitioner. Aggrieved of the same, the present writ petition is filed.

The respondent No.1 filed counter affidavit raising an objection with regard to the maintainability of the writ petition in view of Sec.7(1) of

the A.P. (S.C., S.T. and B.Cs) Regulation of Issuance of Community Certificate Act, which provides an alternative remedy to the petitioner and since the petitioner has not exhausted the remedy, the writ petition is not maintainable.

Since the Act provide for an effective and efficacious alternative remedy, the petitioner without availing the same has straightaway invoked the extraordinary jurisdiction of this court under Article 226 of the Constitution, the writ petition is not maintainable. It is accordingly dismissed. No order as to costs.

Elipe Dharma Rao, J.

July 7, 2005

To

1. The Revenue Divisional Officer
   Tekkali, Srikakulam, Srikakulam Dist.
2. The Chairperson, Selection Committee,

N.T.R.University of Health Sciences
   Vijayawada, Krishna Dist.
3. The Registrar, N.T.R.University of Health Sciences
   Vijayawada, Krishna Dist.
4. The District Collector,
   Srikakulam, Srikakulam Dist.
5. The Principal Andhra Medical College,
   Vishakapatnam.
6. The Principal Secretary,
Social Welfare Department, Govt.of A.P.,

   Secretariat Buildings, Hyderabad.

7. Two CCs to the Govt. Pleaders for Social Welfare, A.P. High

Court Building, Hyderabad.

8. 2 CD copies

*Form-NIC-OGS/WP{**KMR**}*